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Date: November 3, 2005


Selena Whitaker-Paquet

Attorney Docket No.: 48000.1003c2u
PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of **Daryl W. Hochman**

Group Art Unit: 1614

Application No. : 10/056,528
Filed : January 23, 2002
For : **METHODS AND COMPOSITIONS FOR TREATING
CONDITIONS OF THE CENTRAL AND PERIPHERAL
NERVOUS SYSTEMS USING NON-SYNAPTIC MECHANISMS**
Examiner : Brian S. Kwon

AMENDMENT AND REPLY

MAILSTOP: AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed July 13, 2005, kindly amend the subject application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 6 of this paper.

While one of skill in the art, at the time the application was filed, *might* have been motivated to combine the teachings of Mathew et al. with those of Read et al., applicant submits that the combined teachings would not have led one of skill in the art to reasonably believe that furosemide alone could be *successfully* employed in the treatment of migraine. It was not until applicant's elucidation of the role of $\text{Na}^+\text{K}^+\text{2Cl}^-$ cotransporter antagonists in modulating (reducing) the synchronization of neuronal population activity that is associated with seizure disorders and migraine headaches, that one of ordinary skill in the art would have had any reasonable expectation that $\text{Na}^+\text{K}^+\text{2Cl}^-$ cotransporter antagonists, such as furosemide, would be effective in treating migraine headaches and symptoms.

It is urged that neither the teachings of Mathew et al. nor those of Read et al., taken either singly or in combination, would have rendered the presently claimed methods obvious to one of skill in the art at the time the application was filed, and that the rejection of claims 25, 26, 33, 39, 40 and 53-55 under 35 USC § 103(a) may thus be properly withdrawn.

Conclusion

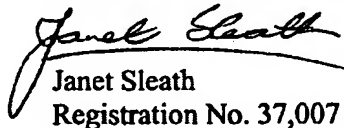
Early reconsideration and allowance of the pending claims is respectfully requested. If the Examiner has any further concerns regarding the application, he is invited to telephone the undersigned at 206.382.1191.

A Request for a One Month extension of Time, extending the deadline for response to the Office Action to November 13, 2005, is submitted herewith.

Charge Deposit Account

Please charge any additional fees that may be required, or credit any overpayment, to our Deposit Account No. 19-3555.

Respectfully submitted,


Janet Sleath
Registration No. 37,007

Date: November 3, 2005

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